

Service Date: March 30, 1982

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF THE APPLICATION)	
OF THE MONTANA POWER COMPANY FOR)	DCKET NO. 82. 3.18
AUTHORITY TO ISSUE NOT TO EXCEED)	ORDER NO. 4889
2,000,000 SHARES OF COMMON STOCK)	

On March 12, 1982, The Montana Power Company ("Applicant") filed with this Commission a verified application pursuant to Sections 69-3-501 to 69-3-507 of the Montana Code Annotated (MCA) requesting an Order authorizing the Applicant to issue not to exceed 2,000,000 shares of its authorized but unissued common stock.

Having fully considered the application and all the data, information and records pertaining thereto on file with the Commission and being fully advised in the premises, the Commission makes the following:

FINDINGS OF FACT

1. Applicant is a corporation organized and existing under and by virtue of the laws of the State of Montana and is qualified to transact business in the State of Montana.
2. Applicant is operating as a public utility, as defined in MCA 69-3-101, and is engaged in furnishing utility service in the State of Montana.
3. This Commission has jurisdiction over the subject matter of the application under MCA 69-3-501 through 69-3-507.
4. Pursuant to MCA 69-3-504, notice of the filing of the application has been given by inclusion of the application in the Commission's agenda for March 15, 1982.

5. No requests for hearing were received by the Commission.

6. Due consideration has been given to the matters presented and filed in connection herewith and that the application should be approved as hereinafter ordered.

7. The issuance of the shares described in the application as proposed by Applicant and as hereinafter authorized, will be for a lawful purpose and is consistent with public interest; that such sale is appropriate for and consistent with the proper performance by Applicant of service as a public utility; and that the aggregate amount of the securities outstanding and proposed to be outstanding will not exceed the fair value of the properties and business of Applicant.

CONCLUSION OF LAW

That the application herein complies with MCA 69-3-501 through 69-3-507 and other laws of Montana as aforesaid and the same should be granted as hereinafter ordered.

NOW, THEREFORE, at a session of the Public Service Commission of the State of Montana, held in its offices at 1227 11th Avenue, Helena, Montana, on March 29, 1982, there being present Chairman Gordon E. Bollinger, Commissioners Clyde Jarvis, Thomas J. Schneider, John B. Driscoll and Howard L. Ellis, there regularly came before the Commission for final action the matters and things in this docket, and the Commission being fully advised in the premises:

ORDER

IT IS ORDERED THAT THE APPLICATION OF THE Montana Power Company in this docket for an Order authorizing its issuance of not to exceed 2,000,000 shares of common stock as set forth in the application in this proceeding, is hereby approved and the same is hereby authorized subject to the provisions of this Order pursuant to MCA 69-3-501 through 69-3-507.

IT IS FURTHER ORDERED that the application herein be supplemented at the appropriate time by the filing of this docket, when completed, the Company's Annual Report to the Securities and Exchange Commission on Form 10K for the year ending December 31, 1981 its 1981 Annual Report to Shareholders.

IT IS FURTHER ORDERED that the unit and total price of the issue of securities to be received by the Applicant, the unit and total price at which such securities are offered to the public be reported to the Commission, by telephone, at the time such factors, are concluded, for the Commission's approval.

IT IS FURTHER ORDERED that the foregoing authorization is without prejudice to the regulatory authority of this Commission with respect to rates, service, accounts, valuations, estimates or determinations of cost, or any other matter subject to its jurisdiction as provided by law.

IT IS FURTHER ORDERED that nothing in this Order or any act or deed done and performed in connection herewith shall be construed to obligate the State of Montana to pay or guarantee in any manner whatsoever any security authorized by this Order or authorized, issued, assumed, or guaranteed under the provisions of MCA 69-3-501 through 69-3-507, inclusive.

Issuance of this Order does not mean acceptance of the Applicant's exhibits or other material accompanying the application for any purpose other than in connection with this proceeding.

DONE IN OPEN SESSION at Helena, Montana this 29 day of March, 1982, by a 5 to 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

GORDON E. BOLLINGER, Chairman

JOHN B. DRISCOLL, Commissioner

HOWARD L. ELLIS, Commissioner

CLYDE JARVIS, Commissioner

THOMAS J. SCHNEIDER, Commissioner

ATTEST:

Madeline L. Cottrill

Commission Secretary

(SEAL)

NOTE: You may be entitled to judicial review of the final decision in this matter. If no Motion for Reconsideration is filed, judicial review may be obtained by filing a petition for review within thirty (30) days from the service of this order. If a Motion for Reconsideration is filed, a Commission order is final for purpose of appeal upon the entry of a ruling on that motion, or upon the passage of ten (10) days following the filing of that motion. cf. the Montana Administrative Procedure Act, esp. Sec. 2-4-702, MCA; and Commission Rules of Practice and Procedure, esp. 38.2.4806 ARM.